

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Application No. 10/559,972

Applicant: Plum et al.

Filed: December 7, 2005

TC/AU: Unassigned

Examiner: Unassigned

Docket No.: 245545 (Client Reference No. 6/CW/FF40039US)

Customer No.: 23460

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450



RESPONSE TO NOTICE TO FILE MISSING PARTS

Dear Sir

Applicant(s) hereby respond(s) to the Notice to File Missing Parts of Application dated February 28, 2006.

The items checked below are appropriate:

1. Status of Applicant

This application is on behalf of ☒ other than a small entity or ☐ a small entity.

CERTIFICATE OF MAILING UNDER 37 CFR 1.10

I hereby certify that this Response and all accompanying documents are being deposited with the United States Postal Service on the date indicated below, in an envelope as "EXPRESS MAIL POST OFFICE TO ADDRESSEE" service under 37 CFR 1.10, Mailing Label Number EV329749181US, addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Name (Print/Type)	Kathleen N. Rodgers		
Signature	<i>Kathleen N. Rodgers</i>	Date	April 7, 2006

2. Documents Submitted Herewith

- a. ☒ Executed Declaration of inventor(s)
- b. ☐ Nucleotide and/or Amino Acid Sequence Submission:
 - i. ☐ Computer Readable Form (CRF)
 - ii. Specification Sequence Listing on:
 - (1) ☐ CD-ROM or CD-R (2 copies); or
 - (2) ☐ Paper Copy
 - iii. ☐ Statement verifying identity of above copies
- c. ☐ Verified English translation of application
- d. ☒ Copy of the Notice to File Missing Parts of Application
- e. ☐ Substitute Drawings
- f. ☐ Other:

3. Application Filing Fee

- a. ☐ No application filing fee due
- b. ☐ Application filing fee due in amount calculated below:

BASIC FEE (\$300 FILING FEE + \$200 EXAMINATION FEE + \$500 SEARCH FEE)				\$1,000.00
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	
Total Claims	35 - 35 =	0	x \$50.00	\$0.00
Independent Claims	3 - 3 =	0	x \$200.00	\$0.00
<input type="checkbox"/> Multiple Dependent Claim(s) if applicable			+ \$360.00	\$
<input type="checkbox"/> Application Size Fee (\$250 for each additional 50 sheets over 100)				\$
Total of above calculations =				\$1,000.00
Reduction by 50% for filing by small entity =				\$()
Fee Already Paid =				\$1,000.00
Fee Due =				\$0.00

4. Late Filing of Oath or Declaration Surcharge

Pursuant to 37 CFR 1.16(e), the surcharge for filing this Response is for
☒ other than a small entity or ☐ a small entity.

Fee Due \$130.00

5. Non-English Specification Surcharge

Pursuant to 37 CFR 1.17(i), the surcharge for submitting an English translation of the non-English specification is included.

Fee Due \$ 0.00

6. (Provisional only) Surcharge for Late Submission

Pursuant to 37 CFR 1.16(g), the surcharge for submitting an English translation of the non-English specification is included.

Fee Due \$ 0.00

7. **Extension of Time**

- ☐ Applicant(s) petition(s) for a one-month extension of time under 37 CFR 1.136, the fee for which is \$120.00.
- ☒ Applicant(s) believe(s) that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant(s) has/have inadvertently overlooked the need for a petition and fee for extension of time.

Fee Due \$

8. **Total Fee Due**

The total fee due is:

Application Filing Fee	
Late Filing of Declaration Surcharge	\$130.00
Non-English Specification Surcharge	\$ 0.00
(Provisional only) Surcharge for Late Submission	\$ 0.00
Extension of Time Fee	\$ 0.00

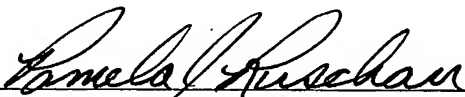
Total Fee Due: \$130.00

8. **Fee Payment**

- ☐ Attached is a check in the sum of \$
- ☒ Charge Account No. 12-1216 the sum of \$130.00. A duplicate of this transmittal is attached.

9. **Fee Deficiency**

- ☒ If any additional fee is required in connection with this communication, charge Account No. 12-1216. A duplicate of this transmittal is attached.

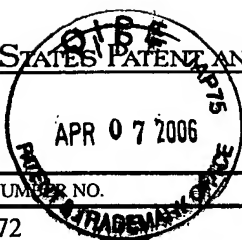

Pamela J. Ruschau, Reg. No. 34,242
LEYDIG, VOIT & MAYER, LTD.
Two Prudential Plaza, Suite 4900
180 North Stetson Avenue
Chicago, Illinois 60601-6780
(312) 616-5600 (telephone)
(312) 616-5700 (facsimile)

Date: April 7, 2006



0410106
RJR ec: Page 1 of 2
LVM 245545 Mathisen

UNITED STATES PATENT AND TRADEMARK OFFICE



UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

U.S. APPLICATION NUMBER NO.

10/559,972

FIRST NAMED APPLICANT

Achim Plum

ATTY. DOCKET NO.

245545

INTERNATIONAL APPLICATION NO.

PCT/IB04/01897

I.A. FILING DATE

06/10/2004

PRIORITY DATE

06/10/2003

23460

LEYDIG VOIT & MAYER, LTD
TWO PRUDENTIAL PLAZA, SUITE 4900
180 NORTH STETSON AVENUE
CHICAGO, IL 60601-6780

CONFIRMATION NO. 6531

371 FORMALITIES LETTER



OC000000018147682

Date Mailed: 02/28/2006

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 12/07/2005
- Copy of the International Search Report filed on 12/07/2005
- Preliminary Amendments filed on 12/07/2005
- Information Disclosure Statements filed on 12/07/2005
- U.S. Basic National Fees filed on 12/07/2005
- Priority Documents filed on 12/07/2005
- Specification filed on 12/07/2005
- Claims filed on 12/07/2005
- Abstracts filed on 12/07/2005
- Drawings filed on 12/07/2005

LAH

LEYDIG, VOIT & MAYER
RECEIVED

JC

MAR 06 2006

PAT/TM Due Date

4-28-06

9-28-06 final

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

PATRICIA A BOOKER

Telephone: (703) 308-9140 EXT 204

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/559,972	PCT/IB04/01897	245545

FORM PCT/DO/EO/905 (371 Formalities Notice)